

1 JOSEPH P. RUSSONIELLO (CABN 44332)
United States Attorney

2 BRIAN J. STRETCH (CABN 163973)
3 Chief, Criminal Division

4 CHINHAYI COLEMAN CADET (CABN 194542)
5 Assistant United States Attorney

6 1301 Clay Street, Suite 340S
7 Oakland, CA 94612
Telephone: (510) 637-3680
Fax: (510) 637-3724
E-Mail: chinhayi.cadet@usdoj.gov

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9 Attorneys for the United States of America

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11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 OAKLAND DIVISION

14 UNITED STATES OF AMERICA,) No. 09-00549 CW
15 Plaintiff,) [PROPOSED] ORDER EXCLUDING
16 v.) TIME PURSUANT TO THE SPEEDY
17 Defendant.) TRIAL ACT
18 _____ Date: April 16, 2010
Time: 10:00 a.m.
Court: Hon. Donna M. Ryu

19 Defense counsel Ned Smock appeared at a status conference before the Court on April
20 16, 2010 representing Defendant Sebastian Sbona, whose appearance was waived. With the
21 agreement of the parties, and with the consent of the defendant, the Court enters this order
22 documenting the exclusion of time pursuant to the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A)
23 and (B), from April 16, 2010 to May 28, 2010. The parties agreed, and the Court found and held,
24 as follows:

25 1. Defendant sought and agreed to the exclusion of time pursuant to the Speedy Trial
26 Act so that defense counsel would have additional time to investigate this matter, interview
27 additional witnesses, confer with Defendant, and prepare for the trial of this matter, taking into
28 account the exercise of due diligence.

[PROPOSED] ORDER RE: TIME EXCLUSION
CR-09-00549 CW

1 2. Given these circumstances, the Court found that the ends of justice served by
2 excluding the period from April 16, 2010 to May 28, 2010 from Speedy Trial Act calculations
3 outweighs the interests of the public and the defendant in a speedy trial by allowing for the
4 defense to prepare effectively, in accordance with 18 U.S.C. §§ 3161(h)(7)(A) and (B).

5 IT IS HEREBY ORDERED that:

6 With the consent of defendant Sebastian Sbona, the period from April 16, 2010 to May
7 28, 2010 is excluded from the Speedy Trial Act calculations for effective preparation of counsel
8 and pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv).

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10 IT IS SO ORDERED.

11 APRIL
12 DATED: March 16, 2010



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14 HONORABLE DONNA M. RYU
United States Magistrate Judge

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16 Approved As To Form:

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19 CHINHAYI COLEMAN CADET
Assistant United States Attorney
Counsel for United States

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19 /S/
NED SMOCK
Counsel for Defendant Sebastian Sbona

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